

PHILIP M. MILLER (SBN 87877)  
KIMBERLY A. HANCOCK (SBN 205567)  
SALTZMAN & JOHNSON LAW CORPORATION  
44 Montgomery Street, Suite 2110  
San Francisco, CA 94104  
Telephone: (415) 882-7900  
Facsimile: (415) 882-9287  
[pmiller@sjlawcorp.com](mailto:pmiller@sjlawcorp.com)  
[khancock@sjlawcorp.com](mailto:khancock@sjlawcorp.com)

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SERVICE EMPLOYEES INTERNATIONAL  
UNION NATIONAL INDUSTRY PENSION  
FUND; STEPHEN ABRECHT, Trustee;  
RODERICK S. BASHIR, Trustee; KEVIN J.  
DOYLE, Trustee; DAVID A. STILWELL,  
Trustee; STEVEN W. FORD, Trustee; LARRY  
T. SMITH, Trustee; FRANK A. MAXSON,  
Trustee; EDWARD MANKO, Trustee; JOHN J.  
SHERIDAN, Trustee; and MYRIAM  
ESCAMILLA, Trustee,

Plaintiffs,

vs.

U.S. METRO GROUP, INC., a California  
corporation,

Defendant.

CASE NO.: CV 11-05711 MEJ

**STIPULATION FOR CONTINUANCE  
OF CASE MANAGEMENT  
CONFERENCE AND [PROPOSED]  
ORDER**

Date: Thursday, May 24, 2012

Time: 10:00 a.m.

Judge: Chief Magistrate Judge  
Maria-Elena James  
Courtroom B, 15<sup>th</sup> Floor  
450 Golden Gate Ave.  
San Francisco, CA

IT IS HEREBY STIPULATED by and between the parties hereto as follows:

1. The Complaint in this matter was filed on November 29, 2012 for Defendant's failure to pay employee pension contributions owing to Plaintiff Service Employees International Union National Industry Pension Fund (Dkt No. 1).
2. On February 15, 2012, Defendant U.S. Metro Group, Inc. executed a Waiver of the Service of Summons. On February 23, 2012, the executed Waiver of Service of Summons was filed with the Court (Docket No. 4). Pursuant to the filed Waiver of Service of Summons, Defendant's response to the Complaint was due by April 16, 2012.

- 1 - STIPULATION FOR CONTINUANCE OF  
CASE MANAGEMENT CONFERENCE AND  
[PROPOSED] ORDER; CASE NO. C 11-5711 MEJ

3. On March 5, 2012, the Plaintiffs filed a Request for Continuance of Case Management Conference to allow the parties to settle the matter (Dkt. No. 7).
4. On March 6, 2012, the Court ordered the initial case management conference continued for 60 days to May 24, 2012 (Dkt No. 9).
5. On March 6, 2012, the Defendant filed its Answer to the Complaint (Dkt. No. 11).
6. On April 30, 2012, the parties filed a Stipulation to ADR, selecting the mediation process, to occur within 90 days of the Court's order (Dkt. No. 15).
7. On April 30, 2012, the Court entered its Order for Mediation to occur within 90 days (by July 30, 2012) (Dkt No. 16).
8. The parties are currently in settlement discussion concerning the Defendant's liability to the Pension Fund. To facilitate settlement of the matter, the Defendant agreed to submit to an audit of its payroll records for the period of the contribution delinquencies, from 2005 through the present, which audit is currently in progress.
9. Upon finalization of the audit, the parties expect to have completed mediation by the July 30, 2012 deadline and to have reached a settlement of this matter.
10. Therefore, there is nothing for the Court to consider at this time.
11. The parties therefore respectfully request that, in order to minimize costs and fees in this action and allow settlement of this matter, the Case Management Conference be continued for a period of at least sixty (60) days.

Dated: May 10, 2012

SALTZMAN & JOHNSON LAW CORPORATION

By: \_\_\_\_\_/S/  
Kimberly A. Hancock  
Attorneys for Plaintiffs

Dated: May \_\_\_, 2012

LAW OFFICES OF A. J. NORTON

By: \_\_\_\_\_  
Aura J. Norton, III  
Attorneys for Defendant

- 2 - STIPULATION FOR CONTINUANCE OF  
CASE MANAGEMENT CONFERENCE AND  
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SALTZMAN & JOHNSON LAW CORPORATION

By: \_\_\_\_\_

Kimberly A. Hancock  
Attorneys for Plaintiffs

Dated: May 10, 2012

LAW OFFICES OF A. J. NORTON

By: \_\_\_\_\_

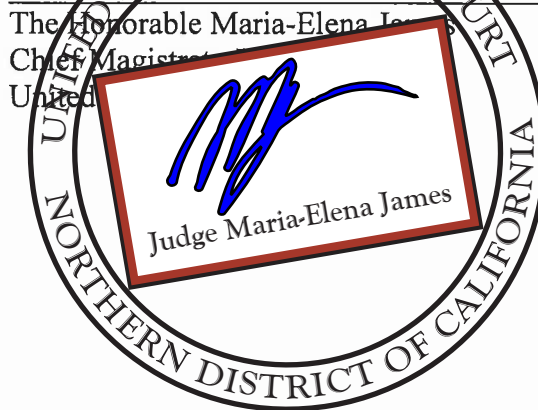
Aura J. Norton, III  
Attorneys for Defendant

- 2 - STIPULATION FOR CONTINUANCE OF  
CASE MANAGEMENT CONFERENCE  
AND [PROPOSED] ORDER

1 IT IS SO ORDERED.

2 Based on the foregoing, and for GOOD CAUSE appearing, the Case Management  
3 Conference currently set for Thursday, May 24, 2012 at 10:00 a.m. is hereby continued to  
4 August 2, 2012 at 10:00 a.m. If the parties settle the case prior to the August 2, 2012 CMC  
5 date they shall notify the Court immediately.

6 Date: May 11, 2012



- 3 - STIPULATION FOR CONTINUANCE OF  
CASE MANAGEMENT CONFERENCE AND  
[PROPOSED] ORDER; CASE NO. C 11-5711 MEJ